

Amended

Application No. 80944

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS
OF THE STATE OF NEVADA HERETOFORE APPROPRIATED**

THIS SPACE FOR OFFICE USE ONLY

Date of filing in State Engineer's Office JUN 29 2011

Returned to applicant for correction JUL 27 2011

Corrected application filed _____ Map filed JUN 29 2011 under 80941

The applicant TRI General Improvement District

8725 Technology Way - Suite C-1

of Reno

Street Address or PO Box

City or Town

Nevada 89521

State and ZIP Code

hereby make(s) application for permission to change the

☒ Point of diversion

☒ Place of use

☒ Manner of use

☒ of a portion

of water heretofore appropriated under (Identify existing rights by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

the Carson River Decree, said Decree entered by the District Court of the United States for Nevada in that certain action entitled "the United States of America, Plaintiff, vs Alpine Land & Reservoir Company, Defendants" under Case No. D-183, Permit No. 48460 (Certificate No. 15381) and Permit No. 60970 (Certificate No. 15388)

1. The source of water is Carson River

Name of stream, lake, underground, spring or other sources.

2. The amount of water to be changed 233.2125 acre feet / annum - prorata share of diversion rate - Refer to Attachment

Second feet, acre-feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Municipal Purposes

Irrigation, power, mining, commercial, etc. If for stock, state number and kind of animals. Must limit to one major use

4. The water heretofore used for As Decreed Purposes

If for stock, state number and kind of animals.

5. The water is to be diverted at the following point (Describe as being within a 40-acre subdivision of public survey and by course and distance to a found section corner. If on unsurveyed land, it should be stated.)

w/in the SE1/4 NE1/4 Section 29 T18N, R25E, MDM or a point from which the West 1/4 corner of said Section 29 bears South 87 degrees 27 minutes 45 seconds West, a distance of 4,426.87 feet.

6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)

Lahontan Reservoir Dam within the SW1/4 SE1/4 of Section 33 T19N, R26E, MDM. Refer to Attachment

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7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)
Refer to Attachment

8. Existing place of use (Describe by legal subdivisions. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.)

32.80 acres within the NW1/4 SW1/4 and 34.62 acres plus 1.30 acres under Permit No. 48460 (Cert. 15381) plus 0.38 acres under Permit No. 60970 (Cert. 15388) within the NE1/4 SW1/4 of Section 35 T20N, R29E, MDM totaling 69.10 acres. Refer to TCID Water Right Detail Record Serial No. 622-1 and 622-1-A. Refer to Churchill County Assessor's Parcel Map No. 009-411-43 & 45. Refer to Attachment.

9. Proposed use will be from January 1st to December 31st of each year.
Month and Day Month and Day

10. Existing use permitted from As Decreed to As Decreed of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provision of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) (State manner in which water is to be diverted, i.e., diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.)

Refer to Attachment

12. Estimated cost of works \$250,000

13. Estimated time required to construct works 3 years

If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use 10 years

15. Provide a detailed description of the proposed project and its water usage (use attachments if necessary): (Failure to provide a detailed description may cause a delay in processing.)

Refer to Attachment.

16. Miscellaneous remarks:

Refer to Attachment.

mike@mbuschelman.com

E-mail Address

775-355-9628

Phone No.

Ext.

APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT

Michael D. Buschelman

Michael D. Buschelman Type or print name clearly

Signature, applicant or agent

Michael D. Buschelman Consulting, Inc.

Company Name

Post Office Box 51371

Street Address or PO Box

Sparks, Nevada 89435

City, State, ZIP Code

Revised 07/09

\$200 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Protested: (See Protest List in File)

AMENDED ATTACHMENT

Applicant: TRI General Improvement District
Page No.: 1 of 4

Item No. 2 – Amount of water to be changed:

As described on Page 151 of the Carson River Decree also known as the Alpine Land and Reservoir Decree, "The United States is entitled to divert and store the entire flow of the Carson River as it reaches the Lahontan Dam for distribution to the individual farmers on the Project who own the water rights appurtenant to their lands"

Carson River water is stored in the Lahontan Reservoir where it is combined with Truckee River water transported to the Lahontan Reservoir by the Truckee Canal under Truckee River Decree Claim No. 3.

This application proposes to change the Carson River water component to a proposed induction well designed to pump Carson River water for municipal purposes within the proposed place of use. An accompanying application is also being filed to change the Truckee River water component to an induction well designed to pump Truckee River water for municipal purposes within the proposed place of use. Data from the US Bureau of Reclamation defines the average annual Truckee River contributions as 25% and the average annual Carson River contribution as 75% to the water stored by the Lahontan Reservoir. Stored water is released from Lahontan Reservoir to numerous ditches within the Carson Division of the Truckee Carson Irrigation District (TCID).

The total acre feet appurtenant to the existing place of use is 310.95 acre feet per annum (afa) prescribed by the duty of 4.50 acre feet per acre for 69.10 acres within the Carson Division of TCID. Based on the US Bureau of Reclamation data, the Carson River contributes an average annual 75% of the 310.95 afa equaling 233.2125 afa.

Item No. 5 – Proposed point of diversion is within:

The proposed point of diversion will be an induction well within the Carson River drainage designed to pump Carson River water.

Item No. 6 – Existing point of diversion is within:

Carson River water is stored by the Lahontan Reservoir. Once in the Lahontan Reservoir, Truckee River and Carson River water combine to provide water to water righted lands within the Carson Division of TCID.

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Applicant: TRI General Improvement District
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Item No. 7 – Proposed Place of Use:

Water under this application will be utilized for municipal purposes within the following:

<u>Aliquot Part</u>	<u>Section(s)</u>	<u>T.N.</u>	<u>R.E.</u>	<u>Base & Meridian</u>
All	1, 2 & 3	18	22	MDB&M
All	10, 11 & 12	18	22	MDB&M
All	13, 14 & 15	18	22	MDB&M
All	22, 23 & 24	18	22	MDB&M
All	1 thru 8	18	23	MDB&M
Portions north of Stagecoach GID	9 & 10	18	23	MDB&M
All	11, 12 & 13	18	23	MDB&M
Portions north of Stagecoach GID	14 thru 17	18	23	MDB&M
All	18 & 19	18	23	MDB&M
Portions north of Stagecoach GID	20 & 24	18	23	MDB&M
All	1 thru 18	18	24	MDB&M
Portions north of Stagecoach GID	19	18	24	MDB&M
All	20 thru 29	18	24	MDB&M
All	32 thru 36	18	24	MDB&M
All	6 & 7	18	25	MDB&M
All	18 & 19	18	25	MDB&M
All	29 thru 32	18	25	MDB&M
All	1 thru 5	19	22	MDB&M
Portions south of Truckee River	6	19	22	MDB&M
All	7 thru 30	19	22	MDB&M
All	33 thru 36	19	22	MDB&M
All	1 thru 36	19	23	MDB&M
All	6 & 7	19	24	MDB&M
All	18 & 19	19	24	MDB&M
All	30 & 31	19	24	MDB&M

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Applicant: TRI General Improvement District
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Item No. 7 – Proposed Place of Use:

Water under this application will be utilized for municipal purposes within the following:

<u>Aliquot Part</u>	<u>Section(s)</u>	<u>T.N.</u>	<u>R.E.</u>	<u>Base & Meridian</u>
Portions south of Truckee River	24 thru 26	20	22	MDB&M
Portions south of Truckee River	28	20	22	MDB&M
Portions south of Truckee River	31 thru 35	20	22	MDB&M
All	36	20	22	MDB&M
Portions south of Truckee River	13	20	23	MDB&M
Portions south of Truckee River	19 thru 24	20	23	MDB&M
All	25 thru 36	20	23	MDB&M
Portions south of Truckee River	18	20	24	MDB&M
All	19	20	24	MDB&M
All	30 & 31	20	24	MDB&M

Item No. 8 – Existing Place of Use:

Truckee River and Carson River provide the water to irrigate the 69.10 acres, therefore the existing place of use for each source of water is the entire 69.10 acres. Refer to Truckee Carson Irrigation District (TCID) Water Right Detail Record Serial No. 622-1 and 622-1-A.

Item No. 11 – Description of proposed works:

The proposed works include an induction well located within the Carson River drainage designed to pump Carson River water, a motor, pump, totalizing meter and pipeline to municipal customers within the proposed place of use.

Item No. 16 – Remarks:

In response to the Return for Correction letter dated July 27, 2011 concerning the 3.5 acre feet per acre duty of water issued under Permit Nos. 48460 and 60970, meetings were held with the staff member of US District Court Water Master's office (Water Master).

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The duty associated with the existing place of use under the enclosed Amended Application to Change Nos. 80943 and 80944 was changed from 3.5 to 4.5 acre feet per acre April 2, 2008. This is noted on the attached copy of the Truckee Carson Irrigation District Water Right Detail Records for Serial Nos. 622-1 and 622-1-A. Representatives of the Water Master's office referenced a study completed by the US Bureau of Reclamation and subsequently approved by the Water Mater in 2008 confirming the 4.5 acre feet per acre duty for the existing place of use. Therefore, the subject application to change proposes to remove all of the water from the existing place of use at the duty of 4.5 acre feet per acre.

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Truckee-Carson Irrigation District
Water Rights Detail Record

Page 1
8/26/2009

Serial #: 622-1

Owner's Name: Casey, Michael A. & Claudia C.

Control #: 6048

53601 Austin Hwy.

APN: 941143 C

Hold:

Fallon

NV

89406-

Pump Permit:

Phone: (775) 426-8280

Property

Irrigator's Name:

Physical Address 5550 Indian Lakes Rd.

Phone 1: () - 0

Phone 2:

Phone 3:

Assessment: Yes, Parcels are assessed on the tax roll

District

Lateral

Takeout

East

D

D-T6 (Meter)

Description

Sc Tn Rn

Total W.R.

Acres Acres Susp Duty

Pt. N2 SW4

35 20 29

60.00

56.20

3.5

BOR Reclass 2/86

WRT 60970 11/95 to 622-1-A

-.38

3.5

01-07 # 388218 TO 6500

-.90

3.5

Per Federal Watermaster 4/2/08.

-54.92 acres at 3.5 Bottom

-54.92

3.5

+54.92 acres at 4.5 Bench

54.92

4.5

Total

W.R.

Acres Acres Susp Duty

Totals

60.00

54.92

.00

1.5

2.99

3.5

4.5

Other

Irrigated Acreage:

.00

.00

.00

53.60

.00

This document only represents the current records of the District and is not a warranty or guarantee of title or ownership. If a warranty or guarantee of title to ownership of land or water rights is desired, you will have to obtain such from a title company or registered land or water right surveyor.

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Truckee-Carson Irrigation District
Water Rights Detail Record

Page 1
8/26/2009

Serial #: 622-1-A

Owner's Name: Casey, Michael A. & Claudia C.

Control #: 6048

53601 Austin Hwy.

APN: 941145 C

Hold:

Fallon

NV

89406-

Pump Permit:

Phone: (775) 426-8280

Property

Irrigator's Name:

Physical Address 5550 Indian Lakes Rd.

Phone 1: () - 0

Phone 2:

Phone 3:

Assessment: Yes, Parcels are assessed on the tax roll

District

Lateral

Takeout

East

D

D-T5 (Meter)

Description	Sc	Tn	Rn	Total Acres	W.R. Acres	Susp	Duty
Pt. N2 SW4	35	20	29	20.00	13.80		3.5
WRT 48460 10/84 Net -0-							
WRT 60970 11/95 fr 622-1					.38		3.5
Per Federal Watermaster 4/2/08.							
-14.18 acres at 3.5 Bottom					-14.18		3.5
+14.18 acres at 4.5 Bench					14.18		4.5
				Total Acres	Total W.R. Acres	Susp	Duty
Totals				20.00	14.18	.00	

	1.5	2.99	3.5	4.5	Other
Irrigated Acreage:	.00	.00	.00	14.18	.00

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